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**From:** Ben Husch [ben.husch@ncsl.org]  
**Sent:** 5/15/2017 3:55:08 PM  
**To:** Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]  
**CC:** Cook-Shyovitz, Becky [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=324db863c4b540d29852c65d352c8b57-Cook-Shyovitz, Becky]; Vorpapel, Tyler [Tyler.Vorpapel@legis.wisconsin.gov]  
**Subject:** Follow-Up - Ozone Non-Attainment, Sheboygan County Wisconsin  
**Attachments:** Comments-Sheboygan-Ozone-WMC.PDF

Tate

Good morning. Below please find the follow up information requested in response to our meeting on April 26 with Wisconsin State Representative Tyler Vorpapel, regarding the ozone non-attainment issues of Sheboygan County, Wisconsin. I have also attached written comments from Wisconsin Manufacturers and Commerce which provide some additional specific details as to the non-attainment issue.

Please let me know if you have any further questions or concerns or need additional information. Thanks again!

-Ben

**History:** The economy of Sheboygan County has very likely been hampered by ozone nonattainment designations since 1990. Today, Sheboygan County contributes very little to the problem, but continues to be stuck with the resulting nonattainment requirements.

The Sheboygan area consists of Sheboygan County, Wisconsin. Sheboygan County is located on Lake Michigan approximately 55 miles north of Milwaukee and 140 miles north of Chicago.<sup>1</sup> The county is home to just over 115,000 Wisconsinites.<sup>2</sup> Sheboygan County's largest municipality and seat of government, is the City of Sheboygan, which has a population of just under 50,000.

The State of Wisconsin has located two air quality monitors in the county. The first, located at Kohler-Andrae State Park (Site ID 551170006) along Lake Michigan, approximately 6 miles south of the City of Sheboygan, has been operational since June of 1997. This monitor is **upwind** from the City of Sheboygan. The second air quality monitor, known as the Haven monitor (Site ID 551170009), is located approximately 6 miles northwest of the City of Sheboygan and has been operational since April of 2014. This monitor is **downwind** from the City of Sheboygan. EPA's proposed nonattainment re-classification is based exclusively on data provided by the Kohler-Andrae monitor.

The Kohler Andrae monitor has been operational as an ozone monitor since June 1997. This monitor was originally intended to measure transport of ozone along Lake Michigan; however, it was then redesignated for use in assessing compliance with federal air quality standards (i.e. the National Ambient Air Quality Standards (NAAQS)). The Kohler Andrae monitor is located upwind from the City of Sheboygan and its location is not consistent with the Environmental Protection Agency's (EPA's) guidelines for proper monitor placement. Regardless, given current federal monitoring regulations, EPA will not approve moving or not using this monitor for NAAQS compliance purposes.

In April 2014, the Sheboygan County Chamber of Commerce worked with state legislators and the Wisconsin Department of Natural Resources (WDNR) for a second, more appropriately located, ozone-monitoring site in Haven, Wisconsin. The Haven site is located exactly as specified by the EPA, downwind from

a metro area, the City of Sheboygan. Notably, this monitor meets all federal ozone standards, even the 2015 ozone NAAQS of 70 parts per billion (ppb). Regardless, EPA will not change the current nonattainment designation for Sheboygan County until the Kohler Andrae monitor measures compliance.

Lake Michigan is known to be very conducive for ozone formation where transported pollutants collect and interact with sunlight to form ozone. Ozone typically measures highest at the Kohler Andrae when there is a lake breeze and the ozone moves on-shore, generally from 2 p.m. to 6 p.m. The Midwest Regional Planning Organization – the Lake Michigan Air Directors Consortium (LADCO) recently issued a report that concluded interstate transport of pollutants significantly limits Wisconsin’s options to reduce ozone concentrations at this monitoring site. Another recent LADCO report stated that their “source apportionment modeling studies suggest that Wisconsin contributes to less than 10 percent of the ozone at Sheboygan (Figure 5), significant limiting the state’s options to reduce ozone concentrations at this site. Furthermore, of that 10 percent Wisconsin contribution, approximately only 2 percent comes from Wisconsin point source emissions.

Sheboygan County emissions of nitrogen oxides (NOx) have declined 47 percent from 2008 to 2014, while emissions of volatile organic compounds (VOC) have declined 39 percent over the same time period based on data from the EPA’s National Emissions Inventory (NEI).

**Economic Impact:** The economy of Sheboygan County has likely been hampered by ozone nonattainment designations. These designations have made it difficult to attract new business, business expansions moving out of state, employers leaving the area and capital investments being diverted elsewhere. It has also tarnished our county as being “unhealthy”, and we know people who have chosen not to move here due to our nonattainment designation. A few examples of the impact to manufacturing are described below.

- Plymouth Foam Inc. (PFI) operates as a Clean Air Act Title V permit holder, using an RTO system to collect and destroy the components considered volatile organic compounds (VOC’s) in the material used. This system burns natural gas and needs to maintain a minimum temperature of 1400 F, which adds over \$300,000 per year to overhead costs. The nearest competition is in Fond du Lac County, only 25 miles west and they do not have to comply by the same requirements, giving them competitive advantage in quoting jobs. PFI’s permit has not sat idle for more than eight months and is constantly in need of change. The VOC emissions offsets involved put restrictions on these needed changes and with the recent EPA bump-up from a marginal to moderate nonattainment area in Sheboygan, the increase in future offsets could restrict the future growth that customers are requesting from PFI.
- Sheboygan Paint Company (SPC) started in Sheboygan in 1921, employs 75 people with payroll exceeding \$5,000,000. In 1984, SPC built another manufacturing facility in Cedartown, Georgia which now employs 45 people with a payroll in excess of \$2,500,000. SPC manufactures industrial coatings and are subject to stringent manufacturing limitations at the Sheboygan facility. The continued bump up of Sheboygan’s nonattainment status could result in Sheboygan Paint shifting production to Georgia which does not face comparable restrictions.

**Sheboygan’s Desired Outcome:** The County has had meetings with EPA Region 5 at the suggestion of Senator Baldwin’s office but it appears that hat this problem can only be resolved at the national level in Washington D.C. They are asking for the Kohler Andrae monitor to be repurposed as a monitor designated specifically to measure transport, as it was originally intended and not to be used to assess ozone attainment status. As the Kohler Andrae monitor is measuring ozone concentrations above the federal standards, the EPA refuses to remove it or reclassify it and for the Haven monitor to be the sole ozone attainment monitoring site

in Sheboygan County **for all applicable ozone standards**, as it is properly sited and representative of air quality in the county.

Ben Husch

Senior Committee Director, Natural Resources and Infrastructure Committee

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